

**UNITED STATES DISTRICT COURT**  
for the  
**District of South Carolina**

\_\_\_\_\_  
Michael T. Smith, \_\_\_\_\_ )  
Petitioner \_\_\_\_\_ )  
v. \_\_\_\_\_ ) Civil Action No. 1:13-cv-02582-DCN  
\_\_\_\_\_  
Warden Kenney Atkinson, \_\_\_\_\_ )  
Respondent \_\_\_\_\_ )

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that (*check one*):

- the petitioner (*name*) \_\_\_\_\_ recover from the respondent (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.
- the petitioner recover nothing, the action be dismissed on the merits, and the respondent (*name*) \_\_\_\_\_ recover costs from the petitioner (*name*) \_\_\_\_\_.
- other: the petitioner, Michael T. Smith, shall take nothing of the respondent, Warden Kenney Atkinson, as to the petition filed pursuant to 28 U.S.C. §2241 and this case is dismissed without prejudice.

This action was (*check one*):

- tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.
- tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.
- decided by the Honorable David C. Norton, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which dismissed the petition without prejudice.

Date: November 13, 2013

*ROBIN L. BLUME, CLERK OF COURT*

s/A. Buckingham

*Signature of Clerk or Deputy Clerk*